

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

THOMAS WILLIAM SINCLAIR  
RICHEY,

Plaintiff,

V.

DONALD DEAN, SCOTT RUSSELL.

## Defendants.

CASE NO. C14-5071 BJR-JRC

## ORDER

The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
Creatura, objections to the Report and Recommendation, if any, and the remaining record, does  
hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The Court dismisses this action for failure to state a claim and as frivolous. This dismissal counts as a strike pursuant to 28 U.S.C. 1915(g).
- (3) The Court revokes in forma pauperis status for purpose of appeal.

DATED this 1<sup>st</sup> day of August , 2014.

*Barbara J. Rothstein*  
BARBARA J. ROTHSTEIN  
United States District Judge